

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

RUDOLF SUTER,

§

Plaintiff,

§

v.

§

No. 3:18-cv-2693-B-BT

UNITED STATES OF AMERICA,

§

Defendant.

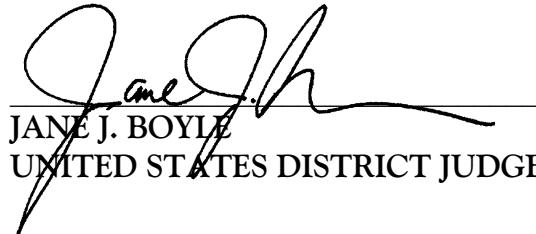
§

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Rebecca Rutherford dated January 28, 2020. The Court reviewed the proposed Findings, Conclusions and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

**IT IS, THEREFORE, ORDERED** that Defendant the United States' Motion to Dismiss (ECF No. 19) is **GRANTED**, and Plaintiff's Complaint against Defendant is **DISMISSED** under Rule 12(b)(3) without prejudice as to refiling in the United States Court of Federal Claims.

SO ORDERED this 21<sup>st</sup> day of February, 2020.

  
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JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE

